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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,832	04/14/2004	Kozo Nakamura	61217 (46547)	7737

7590 04/06/2006  
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EXAMINER

NGUYEN, DUNG T

ART UNIT PAPER NUMBER

2871

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/824,832

Applicant(s)

NAKAMURA ET AL.

Examiner

Dung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) 16-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-15 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

Applicant's election without traverse of Group I, species A (claims 1-15) in the reply filed on 01/30/2006 is acknowledged.

Accordingly, claims 1-15 are now pending in the application; claims 16-38 stand withdrawn from consideration.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimoshikiryou et al., US Patent 6,717,645, in view of Saiki et al., US Patent 6,747,720.

Regarding claims 1-6, Shimoshikiryou et al. disclose a liquid crystal display (LCD) device (figure 1) comprising:

- . an LCD cell (100A) having a liquid crystal layer (10);
- . two polarizers (106, 107);
- . a first optical compensator (103);
- . a second optical compensator (105).

Shimoshikiryou et al., however, do not explicitly disclose that the first optical compensator can be changed the polarization direction of a linearly polarized light ray aligning the elliptically polarized light ray as well as the second optical compensator can be changed the elliptically polarized light ray into a substantially linearly polarized light ray. Saiki et al. do disclose that an optical compensator can be used to change linearly polarized light into elliptically polarized light and vice versa (col. 5, lines 35-47). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to employ such Shimoshikiryou et al. optical compensators having a function of changing the polarization direction of a linearly polarized light ray aligning the elliptically polarized light ray (for the first compensator) and the elliptically polarized light ray into a substantially linearly polarized light ray (for the second optical compensator) in a particular wavelength (e.g., visible wavelength) since it is a common practice in the art in order to improved display irregularities (see field of the invention).

Regarding claims 7, Shimoshikiryou et al. disclose a retardation value of the liquid crystal layer being 328nm (col. 24, ln. 44) which is closed to the claimed range of 390nm to 550nm. Therefore, it would have been obvious to one having ordinary skill in the art at the time

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of the invention was made to employ the Shimoshikiryu et al. liquid crystal layer having a retardation of 390nm since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art.

Regarding claim 8, Shimoshikiryu et al. disclose the retardation of the compensator(s) of 92nm (col. 23, ln 5).

Regarding claims 10-11, Shimoshikiryu et al. also disclose such compensators located closer to the viewer (see figure 1).

Regarding claims 12-13, Shimoshikiryu et al. disclose the compensators can be an uniaxial compensator (col. 14, ln 12);

Regarding claims 14-15, Shimoshikiryu et al. disclose the transmission axis of the polarizer being perpendicular to the orientation directions of the liquid crystal molecules (see figure 7A) which is twisted 90° (col. 11, ln 3).

#### ***Allowable Subject Matter***

5. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

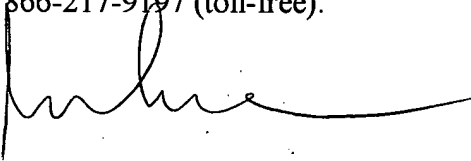
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Nguyen whose telephone number is 571-272-2297. The examiner can normally be reached on Tuesday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DN  
04/03/2006



***Dung Nguyen***  
***Primary Examiner***  
***Art Unit 2871***